

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE: § CASE NO. 15-40892
§
LAWRENCE EDWARDS CREED §
dba - Creed Roofing § CHAPTER 13
Debtor(s) §

Objection of Conn Appliances, Inc. dba Conn's as Servicer-in-fact and Attorney-in-fact for Conn Credit I, LP and/or Conn's Receivables Funding I, LP to Confirmation

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

NOW COMES, Conn Appliances, Inc. dba Conn's as Servicer-in-fact and Attorney-in-fact for Conn Credit I, LP and/or Conn's Receivables Funding I, LP, a secured creditor and party in interest in this bankruptcy case, pursuant to Rule 3015 of the Federal Rules of Bankruptcy Procedure, and files this Objection to Confirmation of Debtor's Chapter 13 Plan, and respectfully shows the Court as follows:

1. This Court has jurisdiction over this contested matter pursuant to 28 U.S.C. §§ 1334 and 157(b) and 11 U.S.C. §§ 361 and 362. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b).

2. The Debtors filed a voluntary Chapter 13 Petition on May 14, 2015.

3. Conn's filed proof of claim number 7 on October 27, 2015. In its proof of claim, Conn's asserts its total claim of \$9,909.11, with the amount of \$8,845.00 being secured. Conn's attached evidence of a purchase money security interest in the items which secure this claim.

4. Conn's objects to the Debtor's Chapter 13 Plan Summary. The Plan Summary does not list Conn's as a creditor.

5. Pursuant to Section 11 U.S.C. 1325 (a) (9), "section 506 [of the Bankruptcy Code] shall not apply to a claim described in that paragraph if the creditor has a purchase money security interest securing the debt that is the subject of the claim, if the collateral for the debt consist of any other thing of value, if the debt was incurred during the one (1) year period preceding that filing."

6. The merchandise which secures Conn's claim was purchased on April 25, 2015. The filing of this chapter 13 petition was on May 14, 2015. The purchase was within the one (1) year period of this filing, therefore Conn's maintains the value of this merchandise should be the current payoff in the amount of

\$8,845.00 .

WHEREFORE PREMISES CONSIDERED, Conn's prays that confirmation of the Debtor's Chapter 13 Plan be denied, and such other relief to which it may be justly entitled.

Respectfully Submitted,

Conn Appliances, Inc. d/b/a Conn's

By: /s/ Dana Overstreet
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CERTIFICATE OF SERVICE

I hereby certify that on 20 day of November, 2015, a true and correct copy of the above and foregoing documents shall be served via electronic means, if available, otherwise by regular, first class U.S. mail to:

/s/ Dana Overstreet
Dana Overstreet and/or Charlotte Foutz Rogers

Attorney for Debtor(s)
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Chapter 13 Trustee
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